

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

CHESTER PAUL BROWN,

No. 6:11-cv-1345-CL

Petitioner,

v.

MIKE CRIM,

ORDER

Respondent.

PANNER, District Judge:

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Although no objections have been filed, this court reviews legal principles *de novo*. See Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983).

After reviewing the file, I agree with Magistrate Judge Clarke that the petition should be denied. Accordingly, I ADOPT

the Report and Recommendation of Magistrate Judge Clarke.

CONCLUSION

Magistrate Judge Clarke's Report and Recommendation (#28) is adopted. The petition (#2) is denied and this action is dismissed with prejudice. If petitioner appeals, this court will deny a certificate of appealability because petitioner has not made a substantial showing that he was denied a constitutional right.

IT IS SO ORDERED.

DATED this 25 day of September, 2013.



OWEN M. PANNER
U.S. DISTRICT JUDGE